

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	MAIL STOP Appeal Brief
Daisuke Sakiyama et al.)	Group Art Unit: 2181
Application No.: 10/775,080)	Examiner: Chun Kuan Lee
Filed: February 11, 2004)	Confirmation No.: 3417
For: DATA OUTPUT APPARATUS)	

REPLY BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Reply Brief is being filed in response to arguments raised in the Examiner's Answer ("Answer") dated August 4, 2009.

In the Appeal Brief, Appellant argues that *Utsunomiya* cannot satisfactorily produce an output of plural copies if the hard disk is not mounted due to insufficient memory.

On page 22 of the Answer, the PTO alleges that *Utsunomiya* discloses the proper printing of plural copies without using a hard disk. Appellant disagrees.

At column 6, lines 20-44, *Utsunomiya* discloses the following:

Upon printing a plurality of copies, two different methods are available, as described above. In the first method, print data **3007** for one job is stored in the input/output buffer **1032**, a process for reading out the print data **3007** from the input/output buffer **1032**, and generating and outputting an image is executed for each copy, and that process is repeated in correspondence with the number of copies to be printed. In the second method, rasterized image data for one job is stored in the rasterized image storage area **3008**, a process for reading out and outputting image data from the rasterized image storage area **3008** is executed for each copy, and that process is repeated in correspondence with the number of copies to be printed.

A print data storage area **3010** is assured on the hard disk (HD) **1043**. Also, a rasterized image data storage area **3012** is assured on the HD. Furthermore, the rasterized image data storage area

3012 is used as a save area when the input buffer **1032** or the rasterized image data storage area **3008** on the RAM **1037** have become full of data. When the print process is done by the first method, since large-size print data is stored in the input/output buffer **1032**, most of print data is stored in the area **3011** assured on the hard disk **1043**. When the print process is done by the second method, since large-size image data is generated, most of the image data is stored in the area **3012** assured on the hard disk **1043**.

Here, *Utsunomiya* discloses most of the print data is stored in the area 3011 due to the large side of print data, when the print process is done by either the first process (I/O buffer 1032) or the second process (storage area 3008). Thus, it appears that for each multi-print operation, most of the print data is stored in the area of the hard disk. Otherwise, an insufficient memory situation would undoubtedly occur. Because, *Utsunomiya* does not appear to place any conditions on the storage of print data in the hard disk, only that the data is stored when the first or second process is performed, Appellant maintains that the system of *Utsunomiya* cannot satisfactorily produce an output of plural copies if the hard disk is not mounted.

Even assuming *arguendo* that *Terajima* and *Utsunomiya* could reasonably be combined with some success, and assuming that *Utsunomiya* can satisfactorily produce an output such as the printing of multiple copies, the embodiment recited claim 1 is still distinguishable over the combination as alleged.

Namely, claim 1 recites "a controller that, when said input job image data is to be output multiple times and, (i) if the expansion memory is mounted, stores *the processed input job image data* in a first storage destination memory for a second output session and beyond, and (ii) if the expansion memory is not mounted, stores *the input job image data* that is **not processed** in a second storage destination memory for a second output session and beyond."

In contrast, *Terajima* merely discloses whether a sensor 119 detects the external memory or not, a *same* communication result (i.e., processed data, or non-processed data) is stored in the external memory or in a RAM 115 of the main body. Combining this teaching with *Utsunomiya* fails to remedy or otherwise overcome this deficiency.

Based on the foregoing remarks and those provided in the Appeal Brief, Appellant submits that a *prima facie* case of obviousness has not been established and reversal of the final rejection is deemed to be in order.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: September 28, 2009

By: /Shawn B. Cage/
Shawn B. Cage
Registration No. 51522

Customer No. 21839
703 836 6620